UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

CARPENTERS DISTRICT COUNCIL)	
OF GREATER ST. LOUIS AND)	
VICINITY, et al.,)	
)	
Plaintiffs,)	
)	
V.)	Case No. 4:11CV735 TIA
)	
TOTAL LOCK & SECURITY, INC.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff s' Motion to Compel (Docket No. 12). The Motion is supported by a Memorandum in Support and an Affidavit of Attorney Michael A. Evans.

The Court entered a Judgment on July 13, 2011on the Stipulation for Entry of Consent Judgment in the amount of \$109,138.80 executed by both parties. Plaintiffs have attempted to collect the judgment balance. On August 16, 2011, Counsel for Plaintiffs noticed Defendant Total Lock & Security, Inc. for a Rule 69 deposition on September 19, 2011 and Request for Production of Documents by first class mail. Defendant failed to appear and failed to produce the requested documents. See Affidavit of Michael A. Evans.

Plaintiffs seek to take a post-judgment deposition in aid of execution of their Judgments. This procedure is appropriate pursuant to Rule 69(a) of the Federal Rules of Civil Procedure. It appears from Statement of Nonappearance that Defendant failed to appear for the deposition and produce the requested documents and also failed to notify counsel for Plaintiffs of its inability to attend, or to make other arrangements for a deposition.

Under the circumstances, compulsory relief is appropriate. Plaintiffs' Motion to Compel should therefore be granted, and Defendant will be ordered to appear for a post-judgment deposition at the offices of Plaintiff's counsel on Monday, October 24, 2011 at 10:00a.m. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Compel (Docket No. 12) is GRANTED.

IT IS FURTHER ORDERED that Defendant shall appear for post-judgment deposition and to produce the requested documents at the offices fo Plaintiff's counsel on Monday, October 24, 2011 at 10:00a.m.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 29th day of September, 2011.